



Janet Napolitano
Governor

Victor M. Mendez
Director

ORIGINAL
Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona



0000009054

June 11, 2004

Bill Higgins
Acting State
Engineer

Mr. Marc E. Stern
Administrative Law Judge
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

RE: TRACS No. 5046 MA MES SR157 01C
Project No. STP-504-6(5)P
RAIL/HIGHWAY SAFETY PROGRAM
Broadway Road (Mesa)
Agreement No. 1532-91-SPTC
ADOT Accounting No. 1532AY00
Union Pacific Railroad Company
AAR/DOT No 741-657-Y
ACC Docket No. RR-03639A-04-0381

RECEIVED
2004 JUN 17 P 3:42
AZ CORP COMMISSION
DOCUMENT CONTROL

Dear Mr. Stern:

In accordance with the requirements of the Procedural Order relating to the subject project, we have sent copies of the Order to the Sponsor and the Railroad Company.

Enclosed are copies of the transmittal letters.

Sincerely,

John Syers

Railroad Engineering Coordinator
Utility & Railroad Engineering Section
205 South 17th Avenue Mail Drop 618E Phoenix, Arizona 85007
Phone (602) 712-7541 Fax (602) 712-3229

Arizona Corporation Commission
DOCKETED

JUN 17 2004

DOCKETED BY	
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Arizona Department of Transportation
Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

Janet Napolitano
Governor

Victor M. Mendez
Director

June 10, 2004

Debra R. Brisk
Deputy Director

Mr. James H. Smith
Manager Industry & Public Projects
Union Pacific Railroad Company
10031 Foothills Boulevard
Roseville, California 95747

Certified Mail Number
7002 3150 0003 9223 4870

RE: TRACS No. 5046 MA MES SR157 01C
Project No. STP-504-6(5)P
RAIL/HIGHWAY SAFETY PROGRAM
Broadway Road (Mesa)
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Dear Mr. Smith:

In accordance with the requirements of the Procedural Order of the Arizona Corporation Commission, we are enclosing for your information a copy of our request for an Opinion and Order and a copy of the Corporation Commission's Procedural Order. This will serve as your notice of a scheduled hearing with respect to the subject project.

Sincerely,

John Syers, Railroad Engineering Coordinator
Utility & Railroad Engineering Section
205 South 17th Ave, RM 357, MD 618E
Phoenix, AZ 85007-3212
(602) 712-7541

encl.

cc: ACC





Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation

Office of the Director

206 South Seventeenth Avenue Phoenix, Arizona 85007-3713

May 13, 2004

Debra R. Brisk
Deputy Director

Railroad Safety Supervisor
Arizona Corporation Commission
1210 West Washington
Phoenix, Arizona 85007

RE: TRACS No. 5046 MA MES SR157 01C
Project No. STP-504-6(5)P
RAIL/HIGHWAY SAFETY PROGRAM
Broadway Road (Mesa)
Union Pacific Railroad Company
AAR/DOT No: 741-657-Y

Dear Mr. Thompson:

Please furnish our office with an Opinion and Order to cover the installation of Signals described in the subject agreement. An agreement covering the work has been signed by the Railroad Company. A copy is attached for your information and files.

After we receive the Opinion and Order, we will send you a copy of our letter authorizing the Railroad to proceed with the work.

Sincerely,

John Syers, Railroad Engineering Coordinator
Utility & Railroad Engineering Section
205 South 17th Ave, RM 357, MD 618E
Phoenix, AZ 85007-3212
(602) 712-7541

Attachment



RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

2004 JUN -3 A 8 17

RECEIVED

COMMISSIONERS

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTINE K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

JUN 07 2004

UTILITY & RAILROAD
ENGINEERING SVCS.

IN THE MATTER OF THE APPLICATION OF
THE ARIZONA DEPARTMENT OF
TRANSPORTATION TO UPGRADE A
CROSSING OF THE UNION PACIFIC
RAILROAD AT BROADWAY ROAD, IN THE
CITY OF MESA, MARICOPA COUNTY,
ARIZONA, AAR/DOT NO. 741-657-Y.

DOCKET NO. RR-03639A-04-0381

PROCEDURAL ORDER

BY THE COMMISSION:

On May 20, 2004, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") a request for approval for the Union Pacific Railroad ("Railroad") to upgrade a crossing at Broadway Road in Mesa, Arizona at AAR/DOT No. 741-657-Y.

IT IS THEREFORE ORDERED that the request of the Arizona Department of Transportation shall be considered an application for the Railroad to construct a new public railroad crossing pursuant to A.R.S. § 40-337, et seq.

IT IS FURTHER ORDERED that the Railroad shall be considered as the Respondent in this proceeding.

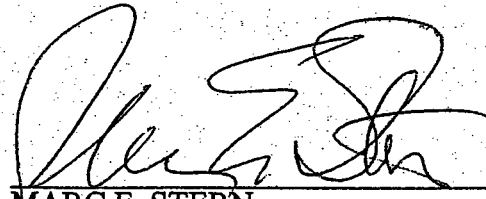
IT IS FURTHER ORDERED that the hearing on the application shall be held on June 24, 2004 at 2:00 p.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

IT IS FURTHER ORDERED that within five business days of receipt of this Procedural Order, the Arizona Department of Transportation shall provide the Railroad and the City of Mesa and any other municipality or interested party that may be affected by the application with a copy of the application and this Procedural Order by certified mail.

...

IT IS FURTHER ORDERED that the ARIZONA DEPARTMENT OF TRANSPORTATION SHALL FILE WITH THE COMMISSION'S DOCKET CONTROL AN ORIGINAL AND THIRTEEN (13) COPIES OF PROOF OF COMPLIANCE with this Procedural Order concurrently with the mailing of notice ordered herein.

DATED this 3rd day of June, 2004


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 3 day of June, 2004 to:

John Syers
Railroad Engineering Coordinator
Arizona Department of Transportation
205 S. 17th Avenue, Mail Drop 618E
Phoenix, AZ 85007

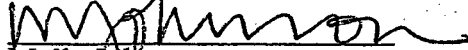
David Gibson
Arizona Department of Transportation
Traffic Records Section
206 S. 17th Avenue, Mail Drop 064R
Phoenix, AZ 85007

Freddy Chung
UNION PACIFIC RAILROAD COMPANY
19100 Slover Avenue
Bloomington, California 92316

Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Ernest Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.
2627 North Third Street, Ste. Three
Phoenix, AZ 85004-1103

By: 
Molly Johnson
Secretary to Marc Stern